

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

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|---|---|-----------------------------|
| Kenny R. Murray, Jr., |) | |
| Petitioner, |) | C.A. No.: 4:09-cv-00907-RBH |
| |) | |
| vs. |) | |
| |) | ORDER |
| Warden, Evans Correctional Institution, |) | |
| Respondent. |) | |
| _____ |) | |

This matter was remanded to the Court for the limited purpose of permitting the Court to supplement the record with an Order granting or denying a certificate of appealability. Having reviewed the matter, this Court finds that the Petitioner has failed to make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2) (2006).

Based on the foregoing, it is therefore **ORDERED** that a certificate of appealability is **DENIED**.

IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Florence, South Carolina
February 2, 2010.